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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/701,080

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Hideki Kobayashi

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EXAMINER

PATEL, GAUTAM

ART UNIT

PAPER NUMBER

2627

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
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3 MONTHS

02/16/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

**Office Action Summary**

Application No.

10/701,080

Applicant(s)

KOBAYASHI, HIDEKI

Examiner

Gautam R. Patel

Art Unit

2627

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 30 August 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) 2,3,5,6,9,10 and 12-15 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,4,7,8 and 11 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### DETAILED ACTION

1. Claims 1-15 are pending for the examination.

#### Election/Restriction

2. Claims 2-3, 5-6, 9-10 and 12-15 stand withdrawn without traverse. Claims 1, 4, 7-8, 11, remains for examination.

Claims 2-3, 5-6, 9-10 and 12-15 are withdrawn from further consideration by the examiner, 37 C.F.R. § 1.142(b) as being drawn to a non-elected species of figures other than 4-5 [first embodiment]. Election was made without traverse in Paper dated 8/30/06.

NOTE: Since figure 4-5 was elected, and claims 14-15 belong to species f, they are withdrawn from further examination along with above claims 2-3, 5-6, 9-10 and 12-13. Claim 1 and 8 being the linking/generic claims. No traverse was indicated therefore election without traverse is assumed.

Action on claims 1, 4, 7-8 and 11 follows.

#### Priority

3. Receipt is acknowledged of papers submitted under 35 U.S.C. § 119(a)-(d), which papers have been placed of record in the file.

#### Claim Rejections - 35 U.S.C. § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 4, 7-8 and 11 are rejected under 35 U.S.C. § 102(b) as being anticipated by Inokuchi et al., US. patent 6,172,952 (hereafter Inokuchi).

As to claim 1, Inokuchi discloses the invention as claimed [see Figs. 1] including a reading unit, a timing pulse generator, a demodulator, an error corrector, an address judging section and a synchronization controller, comprising:

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a reading unit [fig. 1, unit 3] for reading recorded information from the recording medium and obtaining a readout signal;

a timing pulse generator [fig. 1, units 12-13] for generating a demodulated timing pulse in variable generation timing,

a demodulator [fig. 1, unit 6] for demodulating the synchronization signal and the address data representative of an address, from the readout signal according to the demodulated timing pulse;

an error corrector [fig. 1, unit 23] for carrying out an error correction process on the address data and obtaining corrected address data;

an address judging section [fig. 1, unit 23] for determining whether or not the corrected address data is a correct address [col. 10, line 8 to col. 11, line 17], and

a synchronization controller [fig. 1, units 17-20] for causing the timing pulse generator to execute a synchronization process for placing the generation timing in synchronism with the synchronization signal when the synchronization signal has a period equal to a predetermined period, whereby the synchronization controller, in the case the corrected address data is determined as a correct address, then puts the synchronization process into stand-by [HOLD] for execution until the corrected address data is determined as an incorrect address [col. 12, line 19 to col. 13, line 46].

5. The aforementioned claim 4, recites the following elements, inter alia, disclosed in Inokuchi:

the address judging section determines the corrected address data as a correct address when the corrected address data increases or decreases consecutively by 1 at one time, and determines the corrected address data as an incorrect address when the address data is consecutively uncorrectable on error [col. 12, line 62 to col. 14, line 29].

6. The aforementioned claim 7, recites the following elements, inter alia, disclosed in Inokuchi:

a reading unit [fig. 1, unit 3] for reading recorded information from the recording medium and obtaining a readout signal;

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a timing pulse generator [fig. 1, units 12-13] for generating a demodulated timing pulse in variable generation timing,

a demodulator [fig. 1, unit 6] for demodulating the synchronization signal and the address from the

readout signal according to the demodulated timing pulse,

an error corrector [fig. 1, unit 23] for carrying out an error correction process on the address data and obtaining corrected address data;

an address judging section [fig. 1, unit 23] for determining whether or not the corrected address data is a correct address [col. 10, line 8 to col. 11, line 17]; and

a synchronization controller [fig. 1, units 17-20] for causing the timing pulse generator to execute a synchronization process for placing the generation timing in synchronism with the synchronization signal when the synchronization signal has a period equal to a predetermined period, whereby the synchronization controller, in the case the corrected address data is determined as a correct address, then puts the synchronization process into stand-by [HOLD] for execution until the corrected address data is determined as an incorrect address [col. 12, line 19 to col. 13, line 46].

7. As to claim 8, it is drawn to a method corresponding to the apparatus of claim 1, and is therefore rejected for similar reasons set forth in the rejection of claim 1, above.

8. The aforementioned claim 11, recites the following elements, inter alia, disclosed in Inokuchi:

The address determining step determines the corrected address data as a correct address when the corrected address data increases or decreases consecutively by 1 at one time, and determines the corrected address data as an incorrect address when the address data is consecutively uncorrectable for error [col. 12, line 62 to col. 14, line 29].

#### **Other prior art cited**

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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- a) Tanaka et al. (US. Patent 6522831)
- b) Yamamoto et al. (US. patent 6577569)
- c) Iijima et al. (US. patent 6459667).

**Contact information**

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gautam R. Patel whose telephone number is 571-272-7625. The examiner can normally be reached on Monday through Thursday from 7:30 to 6.

The appropriate fax number for the organization (Group 2600) where this application or proceeding is assigned is 571-273-8300.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Dwayne Bost, who can be reached on (571) 272-7023.

Any inquiry of a general nature or relating to the status of this application should be directed to the Electronic Business Center whose telephone number is 866-217-9197 or the USPTO contact Center telephone number is (800) PTO-9199.



**GAUTAM R. PATEL  
PRIMARY PATENT EXAMINER**

Gautam R. Patel  
Primary Examiner  
Group Art Unit 2627

February 14, 2007